

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:22-cv-00060

Clinton Gilmore,
Plaintiff,

v.

Dr. White et al.,
Defendants.

ORDER

Petitioner Clinton Gilmore, proceeding pro se, initiated this civil-rights action pursuant to 42 U.S.C. § 1983 on February 11, 2022. Doc. 1. Thereafter, defendants filed a motion for summary judgment. Doc. 22. This cause of action was referred to United States Magistrate Judge John D. Love. On October 7, 2022, Judge Love issued a report and recommendation recommending that defendants' motion for summary judgment (Doc. 22) be granted and plaintiff's 42 U.S.C. § 1983 claims be dismissed without prejudice for failure to exhaust administrative remedies. Doc. 26. Plaintiff received the court's recommendation on October 17, 2022. Doc. 27. Since that time, no objections to the report and recommendation have been filed and the timeframe for doing so has passed.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Accordingly, the report and recommendation (Doc. 26) is adopted. Fed. R. Civ. P. 72(b)(3). Defendants' motion for summary judgment (Doc. 22) is granted and plaintiff's claims are dismissed without prejudice for failure to exhaust administrative remedies.

So ordered by the court on November 10, 2022.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge